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DEBATE ON THE BANK QUESTION.

Which took place in the House of Commons, from Dec. 29, to Jan. 6.

Continued.

Again, continued Mr. Fisher, it is alleged that the legislature have no power to pass a law calling the banks to an account, and in case of forfeiture of charter, to provide for the disposition of their effects. He was no lawyer, and confessed to know but little about law. Were he to offer his opinion on a question of law, he might incur the charge of presumption, and possibly the gentleman from Newbern might bristle up and say, "Who dare talk of war in the presence of Cæsar?" Though he had great respect for the opinions of that gentleman, he likewise had some confidence in the legal opinions of others who stood disinterested on this subject. These gentlemen say, that the legislature have the power in question, and he believed it. Leaving it to other gentlemen in the house to read us law authorities on the subject, Mr. F. said, he would recur to the rules of common sense—What, sir, said he, has it come to this!—Has the legislature of North Carolina created a corporation that has outgrown the law? Has the creature become greater than the creator? Have we been so long daddled in the lap of this modern Delia as to become shorn of our locks, and left to the mercy of the Bank Politicians? If so, we have indeed reached a strange pass—we may cease to talk of our independence and freedom—for it is all vapor—we are not free, but the subjects of the banks. But sir, we have the power—deny it who may; it is a reasonable power, it is one that has been exercised in other states—in Georgia for example, in the case of the Darien Bank. The affairs of that institution were taken out of the hands of the stockholders and placed in the hands of commissioners. We propose doing no more. After using every argument they could think of, to persuade us, we have not the power to act, and to scare us from acting, the gentlemen take the other tack, and say, even if we had the power, there is no necessity for exercising it—inasmuch as it would do no good—the state being already in a very prosperous condition. Yes sir, they tell us, that the people of North Carolina are in a very comfortable condition! How do they prove it? The gentleman from Halifax (Mr. Spruill) tells us that the last crop was very fine indeed—much better than usual. Mr. F. said, he had the other day, entered into calculations to show the extent of relief that might be expected from the new crop; he thought he had been very liberal in his calculations, though they fell short of the State Bank men, out of doors, but the gentleman from Halifax out-figured the whole of them. He puts the last crop of cotton down at two millions of dollars. To make this, you must give about 1,600 bales to every cotton-growing county in the state. This he believed, was too large for any year, and particularly for the last. The crop of corn and small grain was fine, but as to cotton, there were not as many acres planted as during some previous years, nor was the yield to the acre as great. Mr. F. noticed, and remarked, on other parts of the calculation presented by Mr. Spruill. He also commented on some of the calculations made by the gentleman from Newbern, particularly as to the money that would be brought into the state by the traffic in slaves. Mr. Gaston explained that some of his statements were mistaken by the gentleman, and repeated that he had said—one million, not two, would come in from that source. Mr. F. contended that even one million was too large a sum.

Mr. F. continued—these gentlemen have indeed, sir, made out the state to be in a most flourishing condition. They seem to handle millions as a juggler would coppers; and if the members of this house had not so recently come from among the people—if they could neither see nor hear of distresses, they might possibly be persuaded that we are truly a happy and prosperous people. The gentleman from Newbern tells us, that we are certainly in a better condition now, than we have been since the year 1818, and this he labors to make us believe by his imposing oratory. Sir, said Mr. F. that gentleman may entertain the house with his fine

speeches; he may delight us with well turned periods; he may pour on our senses "the lubricating streams of oily eloquence;" but this will not improve the condition of the state; this will not soften the distress of the people; it will not cure the heart-ach of the suffering. What will you tell the wretch who is shivering in the icy blast of winter's storm, that he is not cold? Will you tell him who pants for breath beneath the burning line, that he is not oppressed with heat? Then, tell the people of North Carolina they are not distressed. One will believe you as soon as the other.

Mr. F. said that the arguments of the gentleman, to prove that the times are not oppressive, reminded him of the speculations of the ingenious Mr. Berkeley, who, zealously contending, and wrote a book to prove, that there is no such thing as matter—that all the trees, rocks and hills, are not really such, but only exist in fancy. And he supported his theory by many very ingenious arguments—fully as much so as those used by the gentleman from Newbern to prove that there is no distress in the country. Strange as it may seem, Mr. Berkeley had his followers, but the celebrated Doctor Johnson was not one of them. The Doctor being asked what he thought of the Berkeleyan system, gruffly replied—nonsense!—it is all nonsense! But, said his interrogator, how do you get over the reasoning? Can you disprove his arguments? Yes, answered he, pointing to a post—I disprove them thus. There stands a post—go bump your head against it, and you'll be apt to find that it is a real post. By a like summary process of reasoning, said Mr. F. I disprove all that the gentlemen have said about these fine and prosperous times. Let them look around through the country, read the advertisements of sheriffs and constables, set up at every public place, attend the sale-days and see the sacrifice of property, look at the crowds of your fellow citizens sold out of house and home; see them with their families, bidding farewell to their native land, and wending their way, sorrowful and heavy hearted, to distant states; look at all this, and say if you can, that these are not hard and distressful times. Think you they will soon be better. Go look at the dockers of your courts. Look to Esenton, where, but the other day, to one court were returned forty-four writs in favour of the State Bank, for a sum exceeding \$80,000; and have you not heard of the new order that the bank has sent out—for the rigorous execution of the whole debt in ten equal instalments?

Five times indeed!—Yes, they are five times for the fat pursy stockholder, who hangs around your court houses, watching the sacrifice of property; for the not-shavers and money brokers; for sheriffs, constables and lawyers, who thrive on the sufferings of their fellow beings; but for the people at large, they are sadly otherwise. The banks, and particularly the State Bank, are doing more to depopulate the state, to drive your citizens to the west, than all other causes put together. They are, either directly, or indirectly, the cause of crushing thousands, and out few men, after they have been swept of their all, have spirit or moral courage to remain in the midst of their ruins—where every thing reminds them of their former prosperity—they will quit the place of their attachment, and with their wives and their little ones, seek a home in a distant land, where the destinies of the people are not in the hands of a few Bank Directors.

The gentleman from Buncombe (Mr. Swain) in the course of his remarks, has informed us, that previous to the year 1810, our circulating medium did not exceed \$800,000, which was then sufficient for all purposes; and from this, he supposed, the gentleman wished to draw the conclusion, that a like amount would answer now. [Mr. Swain here explained, that his statements were mistaken, and repeated what he had said.] Mr. F. proceeded, that the explanation did not vary the reply. The time was when the circulation of the state did not exceed \$100,000; but since then, and since 1810, some changes have taken place in the state's population and business of all kinds have somewhat increased, and these necessarily require an increase in the amount of circulation. But the gentleman's other statement, that we are not as bad off now as we were in 1818—for that the people owed the banks nearly, or quite, a million of dollars more than

they now owe them. Will the gentleman not recollect, that then (in 1818) there was an amount of notes in circulation, vastly more than at present?—that then the labor of man yielded double in value to what it now does?—that produce and property then brought better prices, and were ready sale—and in general, that trade was brisk and prospering? In fact, the capacity of the debtor to pay, was then more than treble what it now is, so that the position of the gentleman is wrong. The people are not better off now than they were then, because they owe the bank less—for if their debt has somewhat diminished, their ability to pay the balance has diminished in a much greater ratio.

The gentleman, as they pass along, make it a point to strike a side-wipe at the bill for a consolidation of the banks. The gentleman from Buncombe, in particular, appears alarmed at the very idea of this bank; it seems to be his bug-a-boos; a sort of raw-head and bloody bones to frighten him. Let him not be alarmed. This is to be no mammoth bank; the state is in no danger from this quarter. Mr. F. said, he regretted to see one of the general intelligence of the gentleman from Buncombe, so far imitate the example of another member who had spoken on this subject, as to pronounce sentence on a bill which he had not examined, and of course could not understand.

The gentleman from Newbern, while on this part of the subject, observed, if we wished to establish a Bank of the State, why not do so disconnected with the existing banks. Mr. F. said, he was much surprised to hear this remark from that gentleman, who is too well informed on banking matters not to see the effects of such a measure. If that gentleman could for a moment forget that he had a seat in this house as a representative of the people, and only remember that he was here as president of the Newbern Bank, then his remark would come in the line of his duty—for, of all plans that could be adopted to help the existing banks out of their difficulties, and place the state in them, that plan would soonest accomplish the object. The three existing banks now owe the United States Bank more than \$800,000. This debt can only be paid with specie, or in funds equivalent to specie. A present they have but a small amount of such funds; but establish a Bank of the State, unconnected with these banks—issue notes, and redeem them in specie, and what will follow? Way, the present banks would only have to press their debtors a little—drive the money into the new bank—get, as fast as they can, the notes of the new bank, draw out the specie, and pay off the United States Bank. The process is clear—it would soon drain the bank of every hard dollar, or force it to stop specie payment. It would moreover enable the existing banks to secure many of their bad and doubtful debts, by shifting them on the new institution. No, sir, we are not learned in banking matters, it is true; but he hoped the legislature had too much sagacity to be duped into any plan of this sort.

Mr. F. said he would briefly notice another remark of the gentleman from Newbern. That gentleman, in his effort to dissuade us from legislating on the subject, observed, if you wish to restrain the banks, you already have the power to do so. You have it, as to the State Bank, in that section of the charter which graduates the votes of the stockholders. Mr. F. denied, most positively, that the state could control the State Bank by its vote, any more than a small minority can, in other cases, control a majority. How stands the case? By the 9th section of the charter, it is provided "that the state shall have the same number of votes to which the greatest number of stockholders may be entitled, possessing an equal number of shares with those owned by the state at the time of such election." Now, the whole amount of shares in the State Bank, is 15979, owned by 496 stockholders. There are 335 stockholders, each owning less than 20 shares, and together owning 2513 shares—leaving 160 persons owning the balance of the stock. These 335 stockholders, at the last meeting, gave 1095 votes, and the state gave the same number of votes, to wit, 1095. Here then, are 335 stockholders, owning only 2513 shares, who fully set off against the vote of the state, and leave the 160 of the largest stockholders, owning 10,420 shares, to throw their whole vote against the state; and yet, the gentleman tells

us, that the state, in its vote, can control the bank. Mr. F. said, he asserted it on good authority, that on former occasions, whenever the state, and the stockholders, came in opposition, the state was uniformly out-voted, and so it must ever be. He would now call the attention of the house to a fact but little known—one that shows the true character and spirit of the managers of the State Bank. In the year 1824, the legislature was induced to pass an act authorizing the treasurer to employ the surplus funds of the state, in the purchase of the stocks of the several banks. He would not now comment on the policy of this measure, though he believed that it was one brought about by management on the part of the banks—for it evidently was the sole cause that kept their stocks from falling much lower than they had been. Under this act, a large amount of stock had been purchased for the state; and yet it is a fact that in the general meetings of the stockholders of the State Bank, they actually denied to the state the right of voting for the additional shares thus acquired by purchase.

Mr. F. commented at some length on the want of confidence expressed by the gentleman from Newbern and Buncombe, in the legislature, to elect persons properly qualified to conduct a Bank of the State, should one be established. These gentlemen, said he, seem to think that there would be nothing but intrigue, management and "pandering," in making the appointments. Mr. F. entertained a different opinion. He said, the same fears might be expressed in the election of judges, governor, treasurer, and the other officers now chosen by the legislature. And yet, have we seen any of that species of corruption going on here? He believed, that the plain honest men of the legislature were not often misled by such practices, though there might be persons willing to mislead them. This was not the first time he had heard declarations of a total want of confidence in the people, and their representatives. There are many who distrust the people, because the people distrust them. He was not one who believed that the legislature never acted unwisely, or the people in small divisions never act wrong, but the people and their representatives too, are generally disposed to do what is right; they are always found true to the cause of freedom and just government. Whenever he heard such distrustful doubts, against the people and their representatives, he could not help running his mind back over our own history to see if facts justified them. He could find none but those that show the character of the people in a different point of view. Who, said Mr. F. when liberty first arose in our land—"not in the smiles and sunshine of Heaven, but wrapt in whirlwinds, and begirt with woes,"—who hailed the rising goddess, and cherished her with their heart's warm blood?—The people, and the people's representatives?

In the doubtful period of '98, when infant liberty was in danger of being smothered by the hydra of faction, who then flew to its rescue, and placed it once more in safety? Who but the people, and their representatives?

When, in 1814, the storms of foreign invasion thickened on our coast; when the yelling savages beset our western borders, and when worse than all, the blue-light traitors at the north, plotted treason against the government—who arose in their might, and saved the Republic? Who, but the people, and the people's representatives?

Sir, shall we distrust the people, or their representatives, while our ears are yet ringing with the acclamations of the late glorious triumph? No!—Indulge no such distrust. The people, in parts, in neighbourhoods—even in whole districts, acting under particular and temporary excitements, may for a season err, and often do err; but as a whole, they are seldom wrong. No human maxim is more true, than the maxim, vox populi—vox dei.

Mr. F. concluded, by thanking the committee for its attention, and apologizing for the length of his desultory remarks.

Mr. WYOMING said, he did not mean to trouble the committee with an argument on the subject now before them. He was tired out with arguments, and the committee were already fatigued. He only wished to call the attention of the committee to some of the consequences which would result from the passage of the bill now under consider-

ation. Suppose the bill passed, and the suit commenced against the banks—when is it to end? Can any man suppose the suit will be tried at the first term? After a decision in our Supreme Court, it will, in all probability, be carried by appeal to the Supreme Court of the United States—when, then, will it end? Not in several years. In the mean time, what is to become of the debtors to the banks, and how will the public interest be affected by the suit? The first inevitable effect will be, to depreciate the notes of our banks, now our only circulating medium, to an unknown extent—at least 25 or 50 per cent. Until the final decision of the suit against the banks, they will retain all the powers and privileges which they now possess, consequently will have it in their power to enforce payment from all the debtors by suit or otherwise. We seem to be going on the ground that all concerned in the banks are dishonest, unprincipled men. If so, they will have ample time, pending the suit, to secure themselves and ruin their debtors. But, as honest, honourable men, they may be expected to provide for their own safety. Can any man believe, that the stockholders will not provide for their own safety, while the suit against the banks is going on? The notes held by the banks are not made payable to them, but to endorsees, who have transferred them by blank endorsements. What is to prevent these notes from being transferred to stockholders, and collected by them individually?

Legal gentlemen, on one side, say that all debts due to or from the banks will be annihilated as soon as the court pronounces a judgment of forfeiture of charter. This is denied by those on the other side. How are we, who are not lawyers, to decide? What will be the understanding of the people on this subject? They will hear of a Quo Warranto, which they will not comprehend. But, when told it is a suit to break the banks, they will at once refuse to receive their notes, and such as have any in possession will be for getting rid of them on any terms.

Difficulties and doubts arose in his mind, on this subject, which were appalling. It is at all times, a delicate matter to interfere with the circulating medium of a country. If we destroy our present currency, such ruin must ensue as no man can foresee.

Gentlemen of the bar may do well enough—the vast multiplication of suits which would ensue from every thing being thrown into confusion, might sustain them—but what was to become of the people—the planters, the merchants, the mechanics? He could not conceive how the business of the country could be carried on under such circumstances?

Nor could he see any necessity for adopting such violent measures. If the charters of the banks have been improvidently granted, let us now, by new enactments, remedy the evils. This is our usual course. When abuses are discovered, new laws are passed to prevent their recurrence. This seemed to him to be the course pointed out by common sense, and recommended by sound policy. After all, what have the banks done to require such a hazardous course as the one proposed. Our committee reports that some of them have purchased United States Bank stock. And what evil, he asked, had resulted to the people from this? They had purchased cotton—and was any one injured by that? He had heard one gentleman say that he had obtained a better price for his crop than he otherwise could have gotten. That the banks had purchased up their own notes at a discount—this, the banks say, was done to raise the value of their notes abroad—as they gave more than others would give, who was injured by that? He did not pretend to justify the banks for these operations; but insisted, that the evils resulting therefrom were not such as to justify so harsh a measure as the one proposed. It was entirely sufficient for the legislature, by new enactments, to prevent a repetition of the offences.

The banks are also charged with having required exchanges from their dealers before they would consent to grant them loans. This, we are told, is unjust. If so every debtor has his remedy in our Courts of Justice. The banks are as liable to the usury laws as individuals. He had understood that the banks had abandoned the practice. If they had not, the legislature could, and ought now, to prohibit it by a new law. Upon the whole, it appeared to him,

that it would comport better with sound wisdom, to correct the evils complained of by new enactments, rather than to throw society into confusion by adopting the course proposed. The latter might gratify a wish for vengeance against the banks, but he was satisfied that the public interest would be better consulted by the former course. In a few years, the charters of the present banks will expire. By that time, the whole subject of the banks would be fully before the legislature, and they could act as they should think best, to establish new banks, extend the charters of the present banks, with different modifications, or to have no bank at all.

The question being put on the amendment offered by Mr. Alexander, it was negatived, 8 yeas to 4. On motion, the committee rose, and reported to the house Mr. Potter's bill, without amendment, which passed its first reading, by yeas and nays, 66 yeas to 54.

Monday, Jan. 5.

The house went into committee of the whole on the bank bill, Mr. Spruill, in the chair.

Mr. POTTER rose, and said he held in his hand a modification of the bill which had passed its first reading in relation to the banks, which he wished to offer in the place of that bill. Upon more mature consideration, and a consultation with his friends on the subject, he had concluded that it would be best to proceed against the State Bank alone. Not that he thought that either of the other banks deserved to escape prosecution; but he believed that by confining the proceedings as proposed, less inconvenience would be experienced by the state.

After explaining the several particulars in which this bill differed from the one already before the committee, Mr. P. introduced it and it was read as follows:

Bill directing a prosecution against the State Bank, and regulating the proceedings therein, and to restore and preserve the character of the circulating medium.

Whereas it appears to the legislature, that the several banks of this state have violated their charters, and that the State Bank has been guilty of frequent and manifest abuses of the fundamental articles of its charter, inasmuch that it is deemed the impious duty of the legislature to cause a judicial investigation to be commenced against it; therefore,

Be it resolved by the General Assembly of the state of North Carolina, That the attorney general be, and he is hereby directed forthwith to institute a judicial inquiry into the conduct of the said State Bank; and that he prosecute such inquiry by information in the nature of a writ of quo warranto, or other legal process; and to prevent unnecessary delay or obstruction to such investigation.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Supreme Court of North Carolina does and shall possess jurisdiction of all cases of abuse of trust and violations of charter by corporations or the individual members thereof; and shall be authorized to proceed against such persons by presentment, indictment, scire facias, quo warranto, or such other writ or process as the case may require; and the same may be commenced at any time, and at any place, and for that purpose shall be authorized to summon juries from any of the counties within the state, and require the attendance of witnesses and the attendance and services of the officers of the law, under rules analogous to those which apply to other suits and proceedings in law and equity; and with a view to the speedy decision of the particular investigation herein directed, the judges of the Supreme Court aforesaid are hereby authorized and directed to hold an extra session of said court, to commence on the first Monday of February next, and continue in session from day to day until the said investigation be terminated.

Be it further enacted, That upon a judgment or decree of forfeiture of the franchises of any corporation being had, or that the same is dissolved, it is hereby declared that such dissolution shall not work an extinguishment either of the debts due to or from such corporation; but all the property, real and personal, of such corporation, and all the debts due to the same, shall and are hereby declared to be vested in the state, to be disposed of for the benefit of the parties concerned in the manner hereinafter provided; and it shall be the duty of the court granting such judgment or decree, to appoint one or more commissioners, who shall forthwith take into their possession all the property and effects of every description whatever of such corporation, and proceed to wind up the affairs thereof, and such regulations as may be prescribed by the court, always having due regard to the rights of the stockholders, the claims of the creditors, and the condition of the debtor; and in the mean time, to prevent injury, holding the notes of the State Bank aforesaid, the governor is hereby authorized and requested, as soon as this act shall be ratified, to issue his proclamation, declaring the solvency of the State Bank aforesaid, and pledging the faith of the state for the redemption of its notes.

Be it further enacted, That the commissioners, appointed in pursuance of this act, before entering on their duties, shall, under bonds, with good and sufficient security, payable to the governor for the time being, and court may require, conditioned for the faithful discharge of their duty, and shall take and subscribe an oath for the faithful and honest discharge of their duty; and it shall be the power of the court, at any time, to remove such commissioners, or either of them, from office, and appoint others under like condition, in their stead, or at any time to require a renewal of their bonds; and when said commissioners shall have finished their duties, they shall make out and deliver to the court a detailed statement in writing of their proceedings, and for their services in this behalf they shall, from time to time, receive such compensation as the court may allow.

Be it further enacted, That if any officer,

stockholder or agent of any corporation, against which a decree of forfeiture in dissolution may hereafter be had, shall fail or refuse to deliver or surrender to the commissioners or commissioners appointed for that purpose, all the property, debts and effects of said corporation, in his or their hands, the court, on the fact being made known to it, shall cause the person or persons so offending, to be brought before it, and punish him or them in like manner as for a contempt of court.

And be it further enacted, That every assignment, transfer, or other conveyance, by any corporation, or officers, or agent thereof, of any property, debt, or evidence of debt, belonging to such corporation, made with a view to evade the operation of the law, or for other fraudulent purpose, shall be, and is hereby declared to be utterly null and void; and the parties to such assignment, transfer, or other conveyance aforesaid, shall, on conviction, be punished as for a misdemeanor.

The motion being to strike out the whole of the present bill, except the words "a bill," and insert the amendment offered, it was carried, 54 yeas to 30.

On motion, the committee then rose, and reported the bill to the house as amended.

And the amendment being concurred in by the house, a motion was made, that the bill now pass its second reading.

Mr. NASH hoped, that as the amended bill had been but just introduced, and no one had had an opportunity of reading it, that it would be suffered to lie on the table till tomorrow, and be printed. He wished for an opportunity of examining the bill, before he gave a vote upon it.

Mr. POTTER said, he should be willing to accommodate the gentleman from Hillsborough, if he believed him sincere in his scruples, but as the subject had already occupied much time, and as he believed members had generally made up their minds on the subject, he hoped the house would proceed to act upon it.

Mr. NASH and Mr. ECCLES urged the reasonableness of the request which had been made, and showed in forcible terms the impropriety and want of ordinary comity in the refusal to grant it, and the more especially as Mr. Nash had been confined to the chair of the committee of the whole during the whole of the discussion on this subject. But the immediate second reading of the bill was urged by Mr. Potter and Mr. Fisher, and after some debate, the question on the 2d reading was finally put and carried, 62 yeas to 54.

Tuesday, Jan. 6.

The question being on the third reading of the Bank bill.

Mr. WYCHE observed, that as this subject assumed a different aspect every time it came before the house, it was evident that a majority were not agreed on any project that had been offered. He was himself wholly opposed to the bill before the house. He thought it objectionable in all its parts, and therefore proposed to strike out all after the words "a bill," and insert the bill which he held in his hand.

[This bill went to prohibit any president, director, cashier, or other officer of any of the banks, from trading in stock, or articles not permitted by their charters, for or on account of such bank. Or to require an exchange as a condition of a new loan, or more favourable terms of renewal, under pain of fine and imprisonment. To prohibit any bank from purchasing its own notes at a discount, either in this state or elsewhere, under forfeiture of the amount so purchased; and finally, to impose damages at the rate of ten per cent. per ann. on any bank which failed to pay its notes in full, on demand, after the 1st Jan. 1830.]

Mr. WYCHE said, that this amendment he adopted, it would show that if the banks had not heretofore observed the provisions of their charters, the legislature was determined to enforce obedience hereafter. This seemed to him, to be all that the public interest required us to do.

After some remarks of Mr. Potter and Mr. Fisher in opposition to this amendment, and a reply by Mr. Wyche, negative, 97 yeas to 22.

The question then returned, on passing the bill before the house its third reading; yeas.

Mr. JONES, of Rowan, rose and observed, that through the long period of this discussion, he had occupied his seat as an attentive and anxious listener. He was anxious because he thought he had perceived at the very outset of this business, a strong determination in a majority of this house, to stop their ears to reason and justice, and to dash along to extremes, regardless of consequences; and that anxiety had not been assuaged by the various changes that since it came into this house, indeed it had been patched and altered, and rescored a rag left of the old garment, to tell its color. I am, said he, glad, however, that we have at last got something before us to decide upon—and that we are to have no more fine carriages wasted on flying targets. I venerate, even the upstart of the State Bank. I have always abominated these dangerous aristocracies, and every repugnant to the principles of republican government. And of the

bank in question, I will say that she has acted irregularly, foolishly, against the spirit and meaning of her charter. But, sir, the questions turn round. What measure of punishment shall be inflicted on the bank? who shall punish her? and will the course proposed by this bill, be just, wise, and expedient?

To the first of these inquiries, I must observe, that the magnitude of an offence arises not from the grade or character of the accused, but from the quality and nature of the act done. I should not have stated this trite maxim if I had not believed there is great danger of its being lost sight of. Think you, sir, if the same facts had been proved against individuals as are alleged against the bank, public justice would have been heard thus vociferously crying aloud for vengeance? How many sharpers and swindlers are there in the neighborhood of almost every gentleman on this floor, who are openly and notoriously violating the statutes of usury? How many hard hearted creditors, with their obsequious instruments, the constables, are day after day violating honest and fair dealing, by availing themselves of the necessities or frailties of the poor, without even one of us believing it our duty to stand forth as the champions of the oppressed? The gentleman from Newbern and the gentleman from Bladen, have shown, it seems to me most conclusively, that the most prominent charge brought against the bank, I mean her not requiring the instalments of stock to be paid in specie, grew out of the defect of the charter which was granted to this bank by the legislature. It was a consequence resulting from a conflict of obligations authorized by that body who represented the sovereignty of this country.

And it does seem to me, that the most of the other irregularities and blunders which the bank fell into, were not so much from the motives of speculation, as to get rid of the difficulties resulting from the grand error which lies at the door of the legislature. These motives would readily be looked over very carefully by the Supreme Court in determining the degree of guilt which had marked the conduct of this institution. And if they should not be able to discover a corrupt and fraudulent intention (which constitutes the very essence of crime,) say if the court was not roughly and completely satisfied of a grossly criminal intention, I hazard nothing in saying, the bank could not be convicted under this quo warranto information. But, sir, supposing it were possible to make out a sufficient case to convict the bank, is it required of North Carolina, from a principle of expediency, to become the prosecutor? He thought it would seem to me, requires a very different course. Let it be remembered, that the state has had a strength in the directory of this bank nearly equal to the whole strength of the individual stockholders. Indeed, it has been stated upon high authority, and has not been contradicted, that she has been able, by dint of a little management, to carry her measures in almost every instance. She has divided the spoil willingly, and I may almost say, greedily. She not only permitted these acts through her agents (he lets girls are included,) but she has encouraged every measure to increase the profits of the establishment, even when it was foreseen that these measures were, or would be, injurious to the community. And now, sir, when the hour of utility has come, she proposes to desert her ancient ally! and since the bank has ceased to be profitable, it is proposed to send her forth into the wilderness, as the scape goat, to bear upon her forehead the sins of the whole concerned! Truly has it been said, that alliances with the strong are dangerous to the weak! The wolf and the sheep set out together on a journey—they come to a stream—the sheep goes below to drink—the wolf accuses the sheep of muddying the water and makes it a pretext for devouring her. I hope, sir, that we shall not hear it again said, that the honour of our state requires this bloody spot on the carpet, the wise man hides it with his mantle!

Bringing this, then, to the bare question of expediency—is there a likelihood that any good can come of this extraordinary prosecution, by this extraordinary proceeding, before an extraordinary tribunal? Several gentlemen that if the bank shall have committed acts sufficiently gross to authorize the court to say that it has forfeited its charter, that the necessary consequence and that in that event, the debts which are due to the bank, as well as those which the bank owes, will be nullified. Others believe that the debts due to the bank will be safe to the stockholders, because these debts are generally by notes endorsed in blank, and that by filling up the blank with the name of some person, in trust for the stockholder, that the state by passing this act can take upon herself the right of collecting the debts on both sides, and accordingly a provision to that effect is inserted in this bill. But I would ask, if the le-

gislator has the constitutional power to attach one consequence to acts, which they did not bear at the time of their happening, why may she not give then another? I she can now seize upon the right to collect, why may she not assume that of pocketing?—And should any presume to question the justice of this course, she could reply, as the Lion did in the fable, that she was the weaker beast and the stronger, and therefore she is entitled to the whole booty. It seems somewhat strange, that any pretence should be made towards collecting these bank debts after what we have been told by the minority committee. It is asserted as a fact, by that committee, that these obligations on the people were obtained by practices that amounted to "fraud and illegal extortion" (see page 7.) Again, they say it was "a system of usury and extortion" carried on with "unparalleled audacity" (p. 8);—and in several other places asserted in a distinct and emphatic manner, that all these contracts between the people and the banks, were adulterated with fraud and corruption. I want to know, sir, on what principle of law or morals these debts can be obtained at all, if these be facts? Can the state, by putting herself in the shoes of the bank, do that which it would be dishonest and unjust for the bank to do? Whence did she obtain the exclusive privilege of cheating and defrauding? We must say the state's conscience is extremely elastic thus to outstretch that of the corporation!

Mr. Speaker, there is one consequence to result from the passage of this bill, which will fall heavily on the innocent community of North Carolina. I mean the certain depreciation of the bank notes and bank stock. Information has already arrived in this city, from various sources, that such has been the effect in some measure, from the mere supposition that this bill may pass. Let it once get through this assembly, and the next news will be that none of the notes of our banks will be taken in the payment of debts. Sheriff and constables will be directed to demand specie, or its equivalent. Property will then go off at just the price that the merciful creditor chooses to give for it. The widow, whose deceased husband had bequeathed her his bank stock, because it was a species of property that required but little skill in its management to make it produce a certain means of subsistence, will have to part with that stock at a ruinous discount. Then, sir, in a word, we may expect to see the reality of that desolation which has been so strongly pictured to our fancy by the gentleman on the other side. This catastrophe, we are told, is provided against by that clause of the bill which authorizes the governor to issue his proclamation, setting forth the causes of this prosecution and pledging the faith of the state for the redemption of the bank notes. Alas, what a delusion!! The experience of ages proves the utter insufficiency of pledges, proclamations, and all such expedients, to sustain the credit of bank paper, where there is no means nominally to specie. The old Bank of England, many years ago, having lost most of its specie to the government to carry on its foreign wars, found itself in great difficulties, in much that the Crown of Great Britain thought it necessary to interfere for her relief, and yet, sir, the patent of the king of that rich sovereignty, backed by his omnipotent parliament, pledging the faith of the greatest nation on earth in behalf of the bank, could not save it from utter ruin. France, too, tried the experiment of sustaining unconvertible paper, by a pledge of the national faith, and although her celebrated Assignats had dulcet contrivances of her then rulers, they suddenly sunk down to their proper degree of worthlessness, and contributed much towards the miseries that so long overshadowed that country. But to come nearer home for examples—the gallant state of Tennessee, rich in every thing that can ennoble a nation, offered the guaranty of its faith as the basis of bank credit; yet in a few months the note of the new institution, in the city of Nashville, were at a discount of from 50 to 75 per centum. Kentucky also adopted the plan, with no better success. But why multiply examples? Who has not heard of the proclamation money of the revolution? The patriotism of the country, as well as its faith, was called on to keep up the credit of that money; and yet sir, in a little time, it became almost as valueless as the material out of which it was fabricated. But we are told that the effects of the bank itself will assist to prevent this depreciation. We have no correct information as to the amount of those effects. If we are to look to the statement of the gentleman most zealous (Mr. Potter) the amount of specie now on hand will be of little avail towards effecting this purpose; but judgment is pronounced on this matter doubtful. And as to the United States Bank stock owned by the State Bank, upon which large calculations are usually made, it is almost certain that it is our ruin. Think you, that the United States Bank will acknowledge any thing of that stock than the one she has

sold it to? Whatever may be said of the omnipotency of our acts, within the limits of our state, it can hardly be believed that the rest of the world will feel themselves bound by them. At any rate we might expect to be carried through a tedious course of litigation in the United States courts before anything could be realised from this part of the speculation. Is it not, upon the whole, most certain, that the governor's proclamation cannot stay the calamity threatened by this measure? We have heard it again, and again, from the gentleman who introduced this bill, that the people do not do something in this matter to please the people. I cannot pretend to say how got up in other parts of the state, it may be much greater than I am aware of; but in that part of the state where I am best acquainted, I do not believe that the bulk of the people, I mean the substantial yeomanry of the country, have ever concerned themselves in this matter, one way or the other. The country to which I belong can boast of nearly two thousand voters, and although there is a branch of this bank at its seat of justice, I speak advisedly when I say there are not three hundred of her citizens either directly or indirectly concerned in the bank, either as principal debtor or security; and of that number I can safely say, I never heard ten men complain that the bank had dealt dishonestly or ungenerously with them. And even amongst those where the wave of destruction has swept most furiously—they that "have shivered in the snows of Caucasus," or "have been baked and blistered by the torrid sun," they that "have had their hearts ground out of them," they "to whom every extremity of woe has been measured out, and into whose service every logobrious word in the dictionary has been pressed," and yet are walking about, well and hearty, and as any of us. The right reverend good sirs will not be so very overwhelming with their thanks to their zealous advocates, when they are told that they did not intend by this bill to let them off from their debts entirely; but only to change the creditor from the State Bank to the state of North Carolina. Although, sir, I am fully persuaded that such would be the effect of a successful prosecution, I am far from believing that and gentleman on the other side expects such a consequence; I have known many of them too long to suspect such a thing for one moment. Yes, sir, I am confident that the great majority of those out of this house, who have joined in this hue and cry, are aiming at nothing less than what has been termed the let-off law. The motives and conduct of these people, I cannot think of with any sort of patience. They have not the money of the banks; they have paid their debts, and many of them have made large profits by speculating on their distressed neighbours; and now, forsooth, when pay day is come, they are willing to see the whole country involved in ruin, rather than fulfil the obligations to which they have voluntarily pledged themselves. This conduct reminds me strongly of some dishonorable gamblers, who are willing enough to play as long as they have a chance of winning, but when called upon to settle, they endeavour to raise a dispute about the fairness of the game, in order to get off from paying their fair losses. "I know you, Sir John," says Dame Quick-ly to Falstaff; "you owe me money, and you want to pick a quarrel to beguile me of it." I trust, sir, that the complaints, much less the threats of such people as these, never will constitute any part of the inducement to this, or any other legislative action.

Although it may be true that the State Bank, with the others in this state, have obligingly helped many a man to his ruin, by affording him facilities which he otherwise could not have obtained; you might as well charge the Apothecary with murder, who, in the course of his business, sells laudanum to the suicide, as to endeavor to fix the blame of the present pecuniary distress upon the banks. The true cause of these evils are to be sought for elsewhere; they date their origin from the spirit of speculation and habits of extravagance that possessed the people of this country about the year 1819 when men thought themselves passing rich with borrowed notes in their pockets, and a large credit bottomed on comparatively little property. And now, sir, let me prescribe the remedy. Let us get rid of as many of these expensive habits as our real comfort will permit. Let us sell all we can spare. And when we next go to the store to buy a new coat, let us consider (as poor Richard says in his Almanack) whether the time will not do for another year. And we must have a new coat, let us say, and prevail upon our good friends theadies, to help us to one from our own means and spinning wheels. Let us endeavour further to prevail with them to join us in this work of retrenchment, persuade them if possible to curtail from the topmost feather in the shroud. On the other hand, we must strive to rise earlier, plough deeper, dig out of debt and be happy, without this quo warranto or any

...of warrant, than a good con-
science.
To be continued.

LATEST FROM EUROPE.

By the arrival at New York, of the brig Orleans, Capt. Chapman, of Boston, from Hamburg, which she left April 21, papers are received to the 17th of March. The following items are furnished:—

Jassy, March 6th, 1829.

General Diebitsch has arrived here and given orders to the commandant of the troops on the left bank of the Danube, to be ready to take advantage of the first opportunity of commencing hostilities. The Turks will in a short time be attacked in a manner that will force them to ask for peace. The left of the river is already nearly rid of them, and Georgevo, opposite Redacht, the only fortress in the principality, will be attacked very soon. A bridge is to be thrown over the river immediately to transport the troops to make the attack.

In Bulgaria and Servia, the grass is already sufficient for the forage of the cavalry. — We may expect to hear in a few weeks of considerable military events. Not far from Paradi there has been a considerable battle between the Russians and Turks, in which the latter were defeated with considerable loss.

Egina, 31st January.

The steam ship *Kartina*, Capt. Phalanga, in an expedition to the Gulf of Varna, and Negro-point, has captured four Turkish vessels of war, which make a very welcome increase to our flotilla. Capt. P. also saved five hundred unfortunate Greeks, who had escaped to Kibon, when the Turks attacked Leteron, and were nearly perishing for want.

In addition to the above, Capt. Chapman informs, that it was reported in Hamburg, on the 1st ultimo, that the Prussians had entered into a treaty with Russia; by the conditions of which they were to keep in readiness forty thousand troops, and were accordingly buying all the horses they could procure for the cavalry, and it was expected the next campaign would be decisive.

From the N. Y. American of April 27.

THE GRAIN MARKET.—The harvest in Europe, which in the autumn of last year was a cause of such anxious inquiry, and such various speculation, must have turned out, to judge from the present aspect of the grain markets of England, more abundant than was then anticipated. The scarcity which so many dreaded, and upon which others founded hopes of fortune, is not likely to occur, and though the price of wheat has been high enough to render its further advance a matter of deep interest, both to speculators and governments, it seems now, by the comparison of many weeks previous to the latest London accounts, to be gradually but irrevocably receding—and the duties upon its importation, which it will be remembered, were upon a scale descending in proportion with the rise in price, had mounted up again, so as to constitute, in that item alone, a charge of nearly thirty cents upon the imported bushel of wheat. Under these circumstances, and at the moment when our spring trade is opening, and the produce of the interior, accumulated during the winter at the heads of navigation, is about to be poured into our metropolis, we recur with satisfaction to the fact that last fall, we so frequently and earnestly urged upon the farmers of the country "to make hay while the sun shone," to take the prices then offering for their produce, and not, by waiting for more, lose the certainty of what already was a largely remunerating price. We hope the autumn may not have been in vain, for all our country readers.

A recent letter from Paris, says:— "The grand mode at present with regard to evening entertainments, is to invite fifteen hundred people when your apartment can barely contain half the number. A foreigner of some rank and large fortune gave one of those grand balls a few evenings since; but as the worshippers of pleasure deem every moment lost which is not dedicated to enjoyment, *Monsieur* dined in town with a party of *bons vivans*, intending to be at home at ten to receive his numerous guests. The rites of Bacchus, however, were not terminated until eleven, when he set out for his hotel; but found it impossible to pass the long file of carriages which were occupied by shivering ladies who waited aittance. In vain the donor of the fête assured the gendarmes that he was M. le Comte D—. He was obliged to take his rank according to the law, "first come first served," and only reached his inhospitable door at three o'clock in the morning. There were twelve *couvertes* stolen at this same entertainment, fifteen shawls, ten hats, five mantles, and several ladies lost their bracelets, owing to the squeezing, pressing, and confusion."

PORTUGAL.—This unfortunate country appears to be in a most deplorable condition under the sanguinary misrule of Don Miguel. We yesterday stated the fact of five individuals having been

executed by order of the usurper, who had only been sentenced by the legal tribunal to transportation for life—an unheard-of interference with the judgment of a criminal court. A letter from Lisbon, published in one of our late London papers, gives a circumstantial account of the execution of these unfortunate men, the mere recital of which is sufficient to chill the blood of any one having a single spark of humanity in his composition. The gallows was erected in Sodre-square, the most public place in Lisbon, where the merchants generally meet, and the unfortunate victims of Miguel's cruelty were put to death in the most inhuman and barbarous manner. The first victim was a youth of 17 years of age, a midshipman, the son of Col. Chaby. After he was turned off the ladder, the executioner got on his shoulders, riding on him and swinging about with one of his feet upon the victim's hands, (which being tied together, made a kind of stirrup) whilst another hangman pulled him down by the feet. The others were served in the same manner, and the bodies were then cut down and laid on the ground, when their heads were chopped off and stuck upon iron points fixed on the posts of the gallows, where they were to remain three days! Orders had also been sent to Oporto to execute eleven individuals, among whom were some of the most honorable and distinguished characters of the country—one of them was appointed Counsellor of State by Don Pedro himself. It was said that the gallows was to remain permanent, and executions were to take place on every Friday during Lent. The Pope's Nuncio is reported to have said on hearing this, "that never was the name of religion and of the altar oflered here, and since Miguel's return, and never was the altar or religion more abused, scorned, and disrespected, than by his adherents."

From the Rochester Daily Advertiser and Telegraph.

"A living dog is better than a drunken man."

On the evening of the 8th inst. as we were coming from Le Roy to this place in the *Pioneer*, the night being uncommonly dark, we discovered at some distance before we reached Allen's creek, that a dog unknown by any of the passengers, was frequently running about the sides of the carriage and evidently very uneasy, and seeming to look with deep interest, for some notice from the passengers within. When we had come up within about ten or twelve rods of the creek, the dog got before the stage and in the middle of the road set up a most earnest barking and crying, which attracted the notice of the passengers and driver, who apprehending that all this concern of the strange dog might mean something, stopped his horses, and looking under his wheel, saw a man laying across the path, in a position that had he driven two feet further the wheel must have passed directly over the neck of the poor creature, and terminated his existence. The man was old and grey headed, and the secret of his exposure was, he was drunk, so drunk that when aroused he could not speak. As soon as he was drawn out from under the coach, the poor dog appeared in an ex-acy of joy; his first motion was to stretch himself at full length upon his breast master, fawning with more interest than language can describe, then jumping across his body, backward and forward, as if to shield him from danger, and to infuse animation into his almost lifeless body. We state these facts for two reasons; first, to show the danger of rum, and secondly, the sagacity of the animal. The faithful interest manifested by the dog could not have been more fully expressed, even if he had possessed the power of speech; and we must add one word more to set the disgusting drunkard before the reader—he held in his hand the neck of a broken bottle.

PASSENGERS.

P. S. There are eight living witnesses of the above facts, which happened only two days since.

The Boston Free Press has the following postscript:—

"The Smyrna Morgan.—By the politeness of Cap. Geo. Gifford, of the brig *Palatine*, from Smyrna, we are favored with the following certificate from the person in Smyrna, said by Mr. Buckingham and others to be William Morgan:

This may certify that I am not the man that was drowned in Lake Erie. I was born at Montreal, Upper Canada, was a bad Christian, and became a Turk. I am

JAMES PILCHER.

Nicknamed "Morgan."

Smyrna, Dec 10, 1828.

We think this man must be a bad Turk, as well as a bad Christian, or he would not certify that he was born in Montreal, in Upper Canada.

N. Y. Com. Adv.

Poverty wants some, luxury many, avarice all things.

HILLSBOROUGH.

Wednesday, May 13.

John Long, jr. of Randolph, is announced as a candidate to represent the Salisbury district in the next congress. This announcement has been delayed on account of a severe indisposition under which Mr. Long has been laboring. John Giles, of Salisbury, has before been announced as a candidate for the same district.

John A. Cameron, of Fayetteville, is announced as a candidate to represent the Fayetteville district. Edmund Daberry, of Montgomery, we have before announced as a candidate for the same district.

Lewis Williams, is a candidate for re-election in the district composed of the counties of Surry, Iredell, Ashe and Wilkes. Samuel King, of Iredell, is also a candidate for the same district.

Col. Isaac T. Avery has been appointed to close the business of the office of discount of the State Bank at Morganton, in the place of Col. William Erwin resigned.

Professor Hooper, at the request of the Di-alectic Society of the University of North Carolina, has consented to deliver a public oration in the college chapel on the 24th of next month, being the day preceding the annual commencement of that institution.

James C. Pickett, of Kentucky, has been appointed by the President to be secretary of legation to Columbia, in place of Edward T. Taylor, of Virginia.

D. Randolph, of Virginia, has been appointed chief clerk in the department of war, in place of Charles J. Nourse, removed.

Dr. Tobias Watkins, recently fourth auditor in the treasury department, was arrested in Philadelphia late at night on the 30th ult. charged with sundry fraudulent practices in procuring money from the treasury, and taken to Washington under an escort of the marshal.

John H. Henshaw, a clerk in the treasury department, and who lately committed suicide by cutting his throat, is said to have left a memorandum making disclosures of frauds on the treasury, committed by himself and others, to a considerable amount.

James Clark, late a representative in congress from the Lexington district, Kentucky, has been announced as a candidate for re-election. The rumor, therefore, of Mr. Clay's being a candidate, is probably without foundation.

A report is in circulation of the death of Mr. Clay, occasioned by a duel with John Pope, esq.; but not much credit is attached to it.

Governor Houston, of Tennessee, in consequence of some misfortunes the nature of which is not explained, has resigned the office of governor, and placed it in the hands of the speaker of the senate, according to the provisions of the Constitution.

A statement of the quantity of sawed lumber and timber inspected at the port of Wilmington from the 1st of April, 1828, to the 1st of April, 1829, exhibits the following result:

Of River Lumber,	6,963,074 feet.
Steam Mill,	11,837,565
Total of sawed lumber,	18,800,639
Of Timber,	17,485,548

According to an official estimate, the number of Indians in the United States is 313,130.

The New York American, of the 21st ult. states, that seventeen thousand and sixty-six ship letters were received at the N. Y. post office, within the previous seven days.

The Mobile Register states, that on the night of the 15th of March, the dwelling house of Mr. Jeremiah Watts, or pine barren flats, in Butler county, took fire, and that four of his children, one grand child, and a traveller who had put up for the night, perished in the flames. Two other persons were so much burnt that their lives were despaired of. All the furniture, and three thousand dollars in money, were also destroyed.

The editor of the Western Times, printed at Centerville, Ohio, to remove the chances of misunderstanding, informs all who have an idea of becoming candidates, "that the name of no person who is not a subscriber will appear in that paper, unless the request for its insertion be accompanied by one dollar." And adds, "This is an old rule among printers, and certainly a very correct one; for the man who will not patronize a newspaper, is not entitled to any benefit arising from one, and should not think of receiving its service gratis."

The editor of the Reading Journal says, that he has tried the experiment of pouring boiling water upon the root of a peach tree, the leaves of which had become sear and dry, and the limbs in a state of decay; "in one week it began to revive, and in three weeks it was covered with a new foliage, and new vigorous roots are putting out in all directions."

Fansiey, planted round the roots of trees, is said to be effectual in preserving them from insects.

Among the insolvent debtors discharged by the court in London, on the 3d of March, was "his highness Gaz and Starebba, prince of Giardinelli, eldest son of the present king of Sicily."

Hydrophobia.—Several very distressing cases of this dreadful malady, have occurred among the negroes of Mr. Wm. B. Roberts, of this county; one of them, a woman, died on Saturday last, in the most excruciating agony, and three others are now suffering under strong symptoms of the disease, which the physician hopes to arrest by a course of salivation; these persons were bitten near two months ago, as were several others in this town, all of whom are certainly in very great danger. *Edenton Gazette.*

New York, April 28.

Melancholy.—We learn with deep regret, that Mr. George Washington Adams, who was a passenger on board the *Benjamin Franklin*, on her trip to this city, was lost overboard early this morning. During most of the day, Mr. A. was in a pleasant and sociable humor. Towards evening, however, he complained of indisposition, and spoke of symptoms of a determination of blood to the head. Subsequently he exhibited some decided evidences of mental alienation. Among other marks of a mind temporarily diseased, he came up to a gentleman on deck in the afternoon, and very abruptly said, "Was it you, sir, who said I attempted to jump overboard?" On being answered in the negative, he turned quickly about and walked to the other end of the boat, and although it was evident that the mind of the unfortunate gentleman was deranged, and a gloom hung over him, yet he last evening appeared to join cheerfully in a conversation with Peter Jones, a native missionary from Upper Canada, who with Miss Barnes and two Indian boys, were on board of the *Franklin*, on their way from Boston to this city. He expressed a deep interest for the mission, and gave a donation to Mr. Jones. At the usual hour Mr. A., with the other passengers, retired to their births. But at about 2 o'clock this morning, Mr. A. got up, dressed himself hastily, and went to several births, asking the occupants, "Was it you who have circulated the report of a combination against Mr. Adams?" He then went upon deck, and continued to traverse it for some time. And at about 4 o'clock this morning his hat was found on deck, just forward of the wheel house. His cloak also was found on deck. It is strange, under these circumstances, that the unfortunate young gentleman was not watched, and the catastrophe prevented. The melancholy bereavement must be a severe trial upon him who was lately so full of life and animation. There can be few who will not sympathize with him in his affliction.

Commercial Advertiser.

From the American Daily Advertiser.

Mr. Poulson: The public mind having been in a considerable degree interested in the result of the important contest between Campbell and Owen, I have determined to make the following extract from a letter, dated,

Cincinnati, April 23, 1829.

"Our city has, for the last week, been much interested in the public discussion of the comparative merits of *Christianity* and *Atheism*, between their respective champions, Campbell and Owen. If the Christian religion stood in need of vindication, it certainly had a noble advocate in Mr. Campbell, who, throughout the discussion, evinced an acquaintance with his subject, and powers of logical reasoning, not without beauties of eloquence, that cannot fail to hand his name to the latest posterity, with honor; while poor Mr. Owen, seemed, in comparison, a man of straw, *vox et preterea nihil*. The whole series of his declamation for argument it was not, reminded me of the fable of the mountain in labor. In fine, never, I think, had religion, especially the Christian, a more noble triumph."

The debate closed on Monday evening last. Before the very large assembly were dismissed Mr. Campbell hinted to them, that in as much as the most extraordinary patience and forbearance had been manifested, while the most barefaced calumnies and insults had been uttered by his opponent, not only against their good sense and best feelings, but against their religion, dearer to many than life itself; it would therefore be of consequence now, to ascertain, to what influence such forbearance was attributable; he then respectfully desired that all whose hopes or desires were toward Christianity, should show themselves by rising. Instantly the whole assemblage, say 600, rose, save about half a dozen individuals, who, when the advocates of infidelity were called upon, rose with Mr. Owen."

Mobile, April 13.

Summary Vengeance.—A prisoner in the sch. *Olympus*, which arrived at this port yesterday, from Havana, states that just before sailing, intelligence was received that a British vessel of war had captured, off Matanzas, a piratical schooner, and after putting in irons as many of the crew as they had irons for, hung the rest at the yard arm, and proceeded with the prisoners to Jamaica.

Magnificent Rail Road project.—The Boston Traveller contains the outlines of a plan for a great rail road to connect the canals, and navigable

NEW SPRING GOODS.

THE subscriber takes this method of informing his friends and the public in general, that he is now receiving, direct from New-York and Philadelphia, a general assortment of Spring Goods, among which are,

Super blue, black and olive Cloths and Cassimeres,
A splendid assortment of Calicoes, new stile, Silks, Cambrics, Muslins,
Ready made Clothing,
A superior assortment of Tortoise-Shell Tuck and Side Combs,
A splendid assortment of Ribbons,
Ditto ditto Gingham,
Vestings of all kinds,
Fancy dress Handkerchiefs,
Artificial Flowers and Wreaths,
With the usual variety of articles comprised in a general assortment of

DRY GOODS, HARDWARE, CUTLERY, AND GROCERIES.

CROCKERY AND GLASS-WARE.

All which he will sell low, for cash only.

R. L. Cook.

May 12. 81—

WATCHES & JEWELLERY.

THE subscriber has received from Philadelphia, an assortment of fine Watches and Jewellery, together with a great variety of fine steel Chains, Scales and Keys, which will be sold low for cash.

Lemuel Lynch.

May 12. 81—

NOTICE.

I HEREBY give notice to all whom it may concern, that my son Samuel Hargis, has authority from me to transact business for himself, and to become responsible for his contracts in as full and complete a manner as if he had attained the full age of twenty-one years.

Thomas Hargis.

May 12. 81—34

An adjourned meeting of the citizens of Orange county friendly to internal improvements, will be held at the court house in Hillsborough, on Monday of May court, to consult on measures calculated to promote that all-important object.

April 31. 78—

FOR SALE.

6,000 lbs. BACON, and a quantity of LARD, by

Turner & Phillips.

April 31. 70—32

State of North-Carolina,

ORANGE COUNTY.
Court of Pleas and Quarter Sessions,
February Term, 1829.

IT is ordered by the Court, that in future, Monday of each term of the court shall be considered and set apart for the transaction of all county business; and that witnesses and jurors be summoned to attend on Tuesday of each term of the court; and that the clerk cause this order to be published for three months in the Hillsborough Recorder.

Test,

J. Taylor, Clerk.

April 14. 77—24

BLANKS for sale at this Office.

to Rome. He was present at the siege of Jerusalem, and was a spectator of the awful desolations of the city, temple and country, and soon after wrote the History of the Jewish Wars, and Jewish Antiquities. The whole were finished in the 56th year of his age, A. D. 98.

PERILOUS SITUATION.

The following extract (from the North American Review) shows something of the manner of living on the margin of our great western rivers, as well as the dangers which settlers have to encounter. The place spoken of in the extract is Trinity, a town near the mouth of the Ohio.

"A house here is so constructed, that when the waters overflow the bank, as they never fail to do every spring, the inhabitants retreat to the chambers, remove their furniture, and allow the water to flow through the lower rooms. In the spring of 1826, passengers going on board steam boats at Trinity were obliged to pass in a skiff, from the windows in the second story of this house. Many such houses are built along the lower part of the Ohio. The solicitude we have observed, when passing down the river and informing the inhabitants that it was rising above, has been a subject of curious and painful interest. We recollect that in one place, the mistress of a rickety log hut, that seemed ready to fall of its own accord, pointed out to us the hole in the chamber floor, and the ladder, by which they had made a hasty retreat a few months before. From the ground floor to the chamber floor, the height was about ten feet, and the water rose in twenty-four hours from six feet below the bank, to within six inches of the chamber floor. This, it may well be believed, was a season of painful suspense to a mother with her family about her, and to the father, who was at the chamber window, with a skiff, ready to start at a moment's notice, and to the watchful eyes of a man, who had been with new joy. He had, in the time, insisted that the water did not rise, which the afflicted parents could not believe; but when he cried out, 'it is falling, it is falling,' tears of joy burst from the father's eyes, rough and fearless as he was; and, in the course of twelve hours more, the family had descended to their residence in safety. These cabins are sometimes fairly anchored with stones, sometimes a great weight is laid on the roof; but more frequently the posts are trees, which are preferred when they can be obtained in suitable places."

JOSEPHUS—THE JEWISH HISTORIAN.

Josephus, whose History of the Wars of the Jews, is too well known to need any description, was born at Jerusalem, in the year of Caius Caligula. At six years of age he began to inquire into the sentiments of the different sects among the Jews—the Pharisees, Sadducees and Essenes. A twenty-six, he went to Rome, to petition the emperor Nero in behalf of several priests of his acquaintance, whom Felix had sent bound to Rome. He ingratiated himself with the wife of Nero, by whose interest he succeeded in obtaining liberty for his friends, and from whom he also received many presents. He then returned into Judea, when he saw every thing tending to revolt under Gessius Florus. In the beginning of the Jewish war, he commanded in Galilee. He was afterwards taken prisoner by Vespasian. He and forty more Jews had concealed themselves in a cavern, where they formed the desperate resolution of killing each other, rather than surrender themselves to the Romans. Josephus, having been governor of the place, and therefore entitled to priority in point of rank, it was proposed by the rest to yield him the honor of becoming the first victim. He, however, contrived to divert their minds from this, by proposing to cast lots for the precedence; and after thirty-nine had balloted and killed one another, he and the other that survived, agreed not to lay violent hands upon themselves, nor to imbue their hands in one another's blood, but deliver themselves to the Romans. Upon this, Josephus surrendered himself up to Vespasian, who conducted him to Vespasian. When brought into the presence of the latter, Josephus told him he had something to communicate to him which would probably strike him with surprise, and perhaps not obtain him his immediate credit—it was, that he should become emperor of Rome, in less than three years. Aware that the general might think this a stratagem of Josephus to save his life, the latter told him he did not wish for his liberty; he was content to be kept as a close prisoner during that time; and that should his prediction not be realized, he was content then to be put to death. Vespasian yielded to his request, although, at first, he placed no credit in what Josephus had said. He, however, kept the latter with him, as a prisoner; while he himself continued in those parts; but when he heard he had been elected emperor of Rome, he gave him his liberty, and raised him to his confidence and favor. Josephus continued with his son Titus, who took the command of the army after his father Vespasian had gone

The National Intelligencer,

Published in the City of Washington, By GALES & SEATON.

THE National Intelligencer is an old established journal, at the seat of the general government. It publishes, originally, regularly and fully, the proceedings and debates of congress; also all the state papers and documents of public interest, laid before congress or originating in that body, and all the acts passed by them. These recommendations, in addition to a variety of other information which is to be found in its columns, connected with the general interests of our own country, with literature and science, and the affairs of the world at large; together with the character of general fairness which the paper has sustained under its present editors for many years, make the National Intelligencer useful, and even valuable, to all who feel an interest in the concerns of this or of other countries.

The National Intelligencer is not a party paper, but censures or approves where censure or approbation seems to be due to public measures. It supported the late administration of the general government, when the measures of that administration were such as to meet its approbation. It avows a determination, though it opposed the election of Gen. Jackson, to support the just measures of this administration, but as certainly to oppose the unjust or the proscriptive. It will be, in principle, opposed to any administration of the government whose measures shall show it to have the interests of a party at heart, rather than the great interests of the country. It is, in a word, what its title denotes, a National paper.

For the independent and impartial course which it has pursued, the National Intelligencer has been denounced, and an attempt has been made to put it down, right or wrong, by the strong arm of power directed by caucus agency. The attempt is as vain as it would be for any modern prophet to bid the sun stand still. Thirty years old, this National paper is not yet in its prime, but acquires strength and power with every day of its existence.

Without having ever sought for popularity, or courted public patronage, the National Intelligencer enjoys already the widest circulation of any newspaper in the United States. It is read in every state and territory in the country. It is read in every capital in Europe, and possesses sources of information exceeded by no other journal.

For the first time, an effort is made to enlarge the subscription to it by sending forth this prospectus, which our adversaries in politics are expected to deal so generously with as to let it be seen, and our friends so kindly as to further our purpose with their aid and countenance. Heretofore we have hardly dared to enlarge our subscription list. Intending hereafter, however, to devote ourselves wholly to the newspaper, and to a proper improvement of "the condition of the press," we invite such farther subscriptions, as, being punctually paid, will remunerate our labor and expenses.

The National Intelligencer is published daily, at ten dollars per annum payable in advance. It is published, also, for the more convenient circulation where a daily mail does not penetrate, three times a week, at six dollars per annum, payable in advance. A remittance of either of these amounts in bank paper, by mail, will ensure the prompt and regular transmission of every paper that may be ordered.

Those subscribing will please to signify whether they desire the paper for a year only, and then to be stopped without further notice, or wish it to be continued until countermanded. Washington, March 5. 75—

State of North Carolina, CHATHAM COUNTY.

Court of Pleas and Quarter Sessions, February Term, 1829.

John Lindley, and others, vs. Charles Millikan and wife, and others. Petition for partition of land.

IT appearing to the court, that Charles Millikan and his wife, two of the defendants in this case, are not inhabitants of this state, it is therefore ordered, that publication be made for six weeks successively in the Hillsborough Recorder, for the said Millikan and wife to appear at the next Court of Pleas and Quarter Sessions, for Chatham county, to be held at Hillsborough, on the second Monday of May next, then and there to answer, plead or demur to the said petition, or the same will be taken as confessed against them.

Test, Thos. Ragland, c. c. e. Price Adv. \$2 75. 73—6w

State of North Carolina, ORANGE COUNTY.

In Equity. Elizabeth Marshall, widow, and Mary Marshall and others, children of Thomas Marshall, dec'd. Petition for sale of land ex parte.

PURSUANT to a decree of the Court of Equity, made in this cause at March term last, I shall expose to public sale, before the court house door in Hillsborough, on Tuesday the 26th day of May next, (the same being County Court week) the following tract of land, belonging to the heirs of the late Thomas Marshall, deceased, lying on Rock Creek, one of the waters of Stinking Quarter, in said county, containing by estimation two hundred and thirty-eight acres, more or less. A credit of twelve months will be given. Bond and approved security required.

March 17. J. Webb, c. m. e. 73—

State of North Carolina, ORANGE COUNTY.

In Equity. John Hicks and others, vs. Petition for sale of land ex parte.

PURSUANT to a decree of the Court of Equity, for Orange county, made in the above cause, at March term last, I shall expose to public sale, to the highest bidder, on a credit of one and two years, before the court house door in Hillsborough, on Tuesday the 26th day of May next, (the same being County Court week) the following tract of land, belonging to the heirs of the late William Hicks, deceased, lying and being in said county, on the waters of Eno River, adjoining the lands of John Walker, John Roberts, Joseph Allison and others, containing three hundred and forty-nine acres, after laying off the widow's dower. Bond and approved security will be required.

March 17. J. Webb, c. m. e. 73—

NOTICE.

I HEREBY caution all persons from trading for a note given by me some time in January last, and payable the first of January next, to Thos. Davis, of Orange county; which note was obtained by misrepresentation of property sold me, and I am not disposed to pay it. Daniel M. Dulany. Onslow county, April 15th. 75—3wp

PRICES CURRENT.

	Wilmington, April 29.	Fayetteville, April 29.	Newbern, April 18.	Petersburg, April 17.
Brandy, Cogniac, - - -	gall. 100 a 120	150 a 175	150 a 175	125 200
Apple, - - -	35 37	40 45	35 40	45 75
Peach, - - -	7 8	6 6 1/2	5 6	6 1/2 7
Bacon, - - -	22 25	20 22	20 22	22 24
Butter, - - -	15 15	15 20	20 25	12 25
Coffee, - - -	18 14	13 16	13 15	12 17
Corn, - - -	60 60	50 50	28 32	45 50
Cotton, - - -	8 8 1/2	7 8	8 8	7 9 1/2
Candles, mould, - - -	15 15	14 15	15 15	12 15
Flaxseed, rough, - - -	800 800	450 525	800 850	650 1000
Flour, - - -	25 28	30 35	30 35	30 35
Feathers, - - -	125 150	125 150	125 150	100 125
Gin, Holland, - - -	40 45	50 50	48 40	35 35
Country, - - -	40 45	50 50	48 40	35 35
Iron, - - -	8 8	6 6	6 7	6 7
Lard, - - -	150 175	250 300	150 175	150 200
Lime, - - -	30 33	32 33	30 32 1/2	33 37 1/2
Molasses, - - -	8 9	8 9	8 10	7 8
Nails, Cut, assorted, - - -	25 30	25 30	25 30	25 30
Oats, - - -	725 800	725 800	725 800	550 600
Powder, American, - - -	125 125	125 150	150 125	150 200
Rum, Jamaica, - - -	110 112	70 80	90 95	100 150
West India, - - -	35 35	45 50	40 42	36 37 1/2
New England, - - -	275 275	350 400	300 325	400 500
Rice, - - -	1000 1000	900 1000	900 1000	700 750
Shot, - - -	75 80	80 90	80 100	70 75
Salt, Liverpool, - - -	45 50	80 90	55 60	55 60
Turk's Island, - - -	900 1000	875 1000	900 1000	700 1300
Sugar, Brown, - - -	20 25	18 25	18 25	18 25
Loaf, - - -	150 175	160 180	125 150	125 150
Tea, Imperial and Gunpowder, - - -	120 120	125 150	125 150	125 150
Hyson, - - -	400 400	250 300	250 300	160 125
Young Hyson, - - -	8 9	8 9	9 10	350 1100
Tobacco, - - -	90 95	100 100	100 120	100 120
Tallow, - - -	22 25	35 35	30 33	30 33
Wheat, - - -	250 400	300 400	250 300	250 300
Whiskey, - - -	150 175	160 200	160 200	160 200
Wine, Madeira, - - -	160 225	200 250	200 250	200 250
Teneriffe, - - -	200 280	200 280	200 280	200 280
Sherry, - - -	70 80	100 120	100 120	100 120
Port, - - -	70 80	100 120	100 120	100 120
Malaga, - - -	70 80	100 120	100 120	100 120

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"Several of the dials gazettes in this city, in New York, &c. with editors of many of the most respectable journals in the United States, have concurred in those opinions, which are respectfully submitted to such as have not had an opportunity of examining the work for themselves."

New subscribers are furnished with the miniature portraits of Shakespeare, Byron, Scott, Campbell and Moore, engraved expressly for this work. Portraits of American authors, in a similar style, will also enrich this volume. A specimen of the above work may be seen at this office. March 11. 70—

State of North Carolina, ORANGE COUNTY.

Court of Pleas and Quarter Sessions, February Term, 1829.

Thomas Scott, assignee, vs. Francis L. Hawks. UPON motion of the plaintiff, by his counsel, it appearing to the court that the defendant is not an inhabitant of this state, it is ordered by the court, that a judicial attachment issue and be levied on the effects of said defendant, and that the same be advertised in the Hillsborough Recorder, for six weeks successively, for the defendant to appear and plead thereto, or judgment will be rendered against him at the next term of this court.

Test, J. Taylor, c. c. e. Price Adv. \$2 50. 72—6w

NO CREDIT.

SCARLETT & BACON WOULD inform the public, that they still continue their BOOT and SHOE Manufacture at their old stand, three doors west of the store of Messrs. Kirkland & Son, where they will keep constantly on hand, a general assortment of Boots and Shoes, of the best materials and workmanship, which will be sold low for cash. Those wishing to purchase will do well to call and examine for themselves. Jan. 6. 63—

HILLSBOROUGH, N. C.

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AT THREE DOLLARS A YEAR, OR TWO DOLLARS FIFTY CENTS IF PAID IN ADVANCE.

Those who do not give notice of their wish to have their paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded.—And no paper will be discontinued until all arrearages are paid, unless at the option of the publisher.

Whoever will procure six subscribers, and guarantee the payments, shall receive the seventh gratis.

Advertisements not exceeding sixteen lines will be inserted three times for one dollar, and twenty-five cents for each continuance.

Subscriptions received by the printer, and most of the post-masters in the state.

All letters upon business relative to the paper must be post-paid.

FOR SALE.

A few likely Negroes,

Inquire of Thomas Clancy.

March 24. 74—

LIST OF LETTERS,

Remaining in the Post Office at Hillsborough, on the 1st of April, 1829.

A	Susanna Jackson
Joseph Armstrong	James A. King
David Allison	James Kirkpatrick
Archibald A. Austin	Benjamin Kidd
John H. Atkins	F. J. Kron 2
B	
John Bird	Richard Ledbetter
Caroline A. Burgwin	John B. Lewis
Richard Broeze	Martin Laycock
Frederick Baynes	David Lockhart
Joshua Berry	
Hellen D. Bond	James Moore
Henry Boyle 2	Richard Marcom
Abigail Brown	James Mebane 2
William Bowie	John A. Mebane
C	William P. Mangum
Benjamin Crutchfield	James Miles
Samuel Child	
Hay Coley	
Sintha Clemmons	John Newlin
James Clark	
Blake & Clayton	Nathaniel J. Palmer
Lender Camel	M. A. Patrick
Jesse Chamnes	Hannah Porter
Nash & Cole	Mr. Peacock
Richard Christmas	John Payne
Duncan Cameron	John Potterfield
Richard Clinton 2	Tempy Primrose
William Clark	William Pipes
James Cole	
John W. Clark	
Burrows Cheek	Nathaniel Revels
D	Ferdinand Reeves
Anthony Dougharty	John Roberts
F	William Rainey
Mary Furgerson	George Roads
Thomas Faucett	
Stephen Frontis 2	Presley H. Swinn?
Sally Flint	William Strayhorn
Thomas Faddis	Gilbert Strayhorn
James Fawcett	Sheriff Orange County
G	Hickman S. Slayton
Elijah Graves	Clerk Superior Court
Catherine Goutch	John Stockard 2
Western R. Gales	John Stephens
David George	Joseph Shaw
Wm. W. Gantt	
H	
John Horn	Thomas Thompson 2
F. L. Hawks 3	John Taylor 2
Andrew Hunter	Joshua Turner
Nathaniel Hicks 3	Rebecca Thompson
Daniel Herring	Robert Timin
Michael Holt	John Turner
Winiford Hardes	
Canady Horton	Thomas Watts
J	James Ward
Samuel Johnston 2	John A. Verkmann Jr.
Stephen Justice	Rebecca Watson
Benoni Jackson	Anson G. Williams
Jesse James	William Wernitt
Edward Jones	Patrick H. Winston
Mr. Justice	Y
	Joel Yancy
	David Yarbrough 2
	R. L. Cook, P. M.
	April 7. 76—

BLANKS for sale at this Office.